



General Assembly

February Session, 2016

Raised Bill No. 5436

LCO No. 1679



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

***AN ACT IMPLEMENTING RECOMMENDATIONS OF THE TASK
FORCE TO STUDY METHODS FOR IMPROVING THE COLLECTION
OF PAST DUE CHILD SUPPORT.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (e) of section 6-38b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (e) The commission, in consultation with the State Marshals
5 Advisory Board, shall (1) adopt regulations in accordance with the
6 provisions of chapter 54 to establish professional standards, including
7 training requirements and minimum fees for execution and service of
8 process, and (2) implement policies and procedures to increase state
9 marshal participation in the serving of capias mittimus orders. Such
10 policies and procedures may require that at all times a certain minimal
11 percentage of the overall number of state marshals shall be actively
12 engaged in the service of capias mittimus orders.

13 Sec. 2. Subsection (a) of section 3-119 of the general statutes is

14 repealed and the following is substituted in lieu thereof (*Effective July*
15 *1, 2016*):

16 (a) The Comptroller shall pay all salaries and wages not less than
17 ten calendar days or more than fifteen calendar days after the close of
18 the payroll period in which the services were rendered, except as
19 provided in subsections (b) and (c) of this section, but shall draw no
20 order in payment for any service of which the payroll officer of the
21 state has official knowledge without the signed statement of the latter
22 that all employees listed on the payroll of each agency have been duly
23 appointed to authorized positions and have rendered the services for
24 which payment is to be made. The Comptroller is authorized to
25 develop, install and operate a comprehensive fully documented
26 electronic system for effective personnel data, for payment of
27 compensation to all state employees and officers and for maintenance
28 of a chronological and permanent record of compensation paid to each
29 employee and officer for the state employees retirement system and
30 other purposes. Such electronic system shall also facilitate the
31 electronic processing of an income withholding order entered by a
32 state or federal court, including any such order transmitted to the
33 Comptroller by means of the electronic income withholding order
34 process implemented by the federal Office of Child Support
35 Enforcement. The Comptroller is authorized to establish an accounting
36 procedure to implement this section.

37 Sec. 3. Subsection (h) of section 31-227 of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective July*
39 *1, 2016*):

40 (h) (1) An individual filing an initial claim for unemployment
41 compensation shall, at the time of filing such claim, disclose whether
42 or not the individual owes child support obligations as defined under
43 subdivision (6) of this subsection. If any such individual discloses that
44 he or she owes child support obligations and has been determined to
45 be eligible for unemployment compensation, the administrator shall

46 notify the state or local child support enforcement agency enforcing
47 such obligation that the individual is eligible for unemployment
48 compensation.

49 (2) The administrator shall deduct and withhold from any
50 unemployment compensation payable to an individual who owes
51 child support obligations (A) the amount specified by the individual to
52 the administrator to be deducted and withheld under this subsection,
53 if neither subparagraph (B) nor (C) is applicable, or (B) the amount
54 determined pursuant to an agreement submitted to the administrator
55 under Section 654(20)(B)(i) of the Social Security Act by the state or
56 local child support enforcement agency, unless subparagraph (C) is
57 applicable, or (C) any amount otherwise required to be so deducted
58 and withheld from such unemployment compensation pursuant to
59 legal process, as defined in Section 662(e) of the Social Security Act,
60 properly served upon the administrator. For purposes of this
61 subdivision, legal process shall be deemed properly served upon the
62 administrator if such legal process is transmitted to the administrator
63 by means of the electronic income withholding order process
64 implemented by the federal Office of Child Support Enforcement.

65 (3) Any amount deducted and withheld under subdivision (2) of
66 this subsection shall be paid by the administrator to the appropriate
67 state or local child support enforcement agency.

68 (4) Any amount deducted and withheld under subdivision (2) of
69 this subsection shall for all purposes be treated as if it were paid to the
70 individual as unemployment compensation and paid by such
71 individual to the state or local child support enforcement agency in
72 satisfaction of the individual's child support obligations.

73 (5) This subsection shall be applicable only if appropriate
74 arrangements have been made for reimbursement by the state or local
75 child support enforcement agency for the administrative costs incurred
76 by the administrator under this subsection which are attributable to

77 child support obligations being enforced by such state or local child
78 support enforcement agency.

79 (6) For purposes of this subsection, the term "unemployment
80 compensation" means any compensation payable under this chapter,
81 including amounts payable by the administrator pursuant to an
82 agreement under any federal law providing for compensation,
83 assistance, or allowances with respect to unemployment; "child
84 support obligations" includes only obligations which are being
85 enforced pursuant to a plan described in Section 654 of the Social
86 Security Act which has been approved by the Secretary of Health and
87 Human Services under Part D of Title IV of the Social Security Act; and
88 "state or local child support enforcement agency" means any agency of
89 this state or a political subdivision thereof operating pursuant to a plan
90 described in Section 654 of the Social Security Act which has been
91 approved by the Secretary of Health and Human Services under Part D
92 of Title IV of the Social Security Act.

93 Sec. 4. (NEW) (*Effective October 1, 2016*) Notwithstanding the
94 provisions of chapter 319s, 815y, 816 or 906 of the general statutes,
95 absent a court order, no employee of the Department of Social Services
96 or Support Enforcement Services may contact the employer of an
97 individual, who has been named as the putative father of the child in
98 connection with an IV-D support case, as defined in section 46b-231 of
99 the general statutes, unless such individual has been adjudicated the
100 father of the child in accordance with the laws of this state or any other
101 state.

102 Sec. 5. (*Effective from passage*) (a) There is established a task force to
103 study technological and other initiatives that could be implemented by
104 the state to maximize the collection of child support due and owed to
105 state residents. Such study shall specifically identify technological
106 enhancements that are needed to ensure compliance with court orders
107 relating to the payment of child support.

- 108 (b) The task force shall consist of the following members:
- 109 (1) Two appointed by the speaker of the House of Representatives;
- 110 (2) Two appointed by the president pro tempore of the Senate;
- 111 (3) One appointed by the majority leader of the House of
112 Representatives;
- 113 (4) One appointed by the majority leader of the Senate;
- 114 (5) One appointed by the minority leader of the House of
115 Representatives;
- 116 (6) One appointed by the minority leader of the Senate;
- 117 (7) The Commissioner of Social Services, or the commissioner's
118 designee; and
- 119 (8) The Chief Court Administrator, or the Chief Court
120 Administrator's designee.
- 121 (c) Any member of the task force appointed under subdivision (1),
122 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
123 of the General Assembly.
- 124 (d) All appointments to the task force shall be made not later than
125 ninety days after the effective date of this section. Any vacancy shall be
126 filled by the appointing authority.
- 127 (e) The speaker of the House of Representatives and the president
128 pro tempore of the Senate shall select the chairpersons of the task force
129 from among the members of the task force. Such chairpersons shall
130 schedule the first meeting of the task force, which shall be held not
131 later than sixty days after the effective date of this section.
- 132 (f) The administrative staff of the joint standing committee of the
133 General Assembly having cognizance of matters relating to the

134 judiciary shall serve as administrative staff of the task force.

135 (g) Not later than January 1, 2018, the task force shall submit a
136 report on its findings and recommendations to the joint standing
137 committees of the General Assembly having cognizance of matters
138 relating to human services and the judiciary, in accordance with the
139 provisions of section 11-4a of the general statutes. The task force shall
140 terminate on the date that it submits such report or January 1, 2018,
141 whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	6-38b(e)
Sec. 2	<i>July 1, 2016</i>	3-119(a)
Sec. 3	<i>July 1, 2016</i>	31-227(h)
Sec. 4	<i>October 1, 2016</i>	New section
Sec. 5	<i>from passage</i>	New section

Statement of Purpose:

To improve upon the collection of past due child support.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]